



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/762,324	01/23/2004	Chun Wang	16685-1US PJF/rl	4949
7590	07/14/2005		EXAMINER	
Ogilvy Renault Suite 1600 1981 McGill College Avenue Montreal, QC H3A 2Y3 CANADA			KERSHTEYN, IGOR	
			ART UNIT	PAPER NUMBER
			3745	
DATE MAILED: 07/14/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	10/762,324	WANG ET AL.
	Examiner	Art Unit
	Igor Kershteyn	3745

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on _____.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-4 is/are rejected.
- 7) Claim(s) 5 is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 23 January 2004 is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____.
3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>01/23/2004</u> .	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
	6) <input type="checkbox"/> Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

- (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.
- (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Rice (978,397).

In figures 1 and 2, Rice teaches a blower having an enclosure A having side walls (not numbered) defining an internal chamber (not numbered), an open end comprising a first inlet 3, a second inlet 3 and an outlet 2, a flow separator plate 13 extends across the internal chamber between the side walls defining a first scroll duct (not numbered) and a second scroll duct (not numbered), the first scroll duct is in flow communication with the first inlet 3 and the outlet 2, while the second scroll duct is in flow communication with the second inlet 3 and the outlet 2, a blower wheel D is rotatably mounted in the enclosure through an opening in the separator plate having a first wheel portion disposed in the first scroll duct and a second wheel portion disposed in the second scroll duct.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 2 and 3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rice (978,397) in view of McDonald et al. (4,902,199).

Rice teaches all the claimed subject matter except that he doesn't teach the first wheel portion has a diameter different from a diameter of the second wheel portion and the first wheel portion has a height different from a height of the second wheel portion.

McDonald et al., in figures 1 and 2, teaches a blower 10 having an impeller with a first wheel portion 30 that has a diameter different from a diameter of a second wheel portion 42 and the first wheel portion 30 has a height different from a height of the second wheel portion 42.

Since Rice and McDonald et al. are analogous art because they are from the same field of endeavor, that is the centrifugal blower art, it would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify the impeller of Rice with the first wheel portion that has a diameter different from a diameter of the second wheel portion and the first wheel portion has a height different from a height of the second wheel portion as taught by McDonald et al. for the purpose of providing an unequal inlet flow for the first and second impeller portions.

Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Rice (978,397) in view of Stanek (6,136,055).

Rice teaches all the claimed subject matter except that he doesn't teach the open end of the enclosure includes a removable grate.

Stanek in figures 1, 3, and 4, teaches an air moving device 1 having an enclosure 3, a blower 43 and an open end of the enclosure 3 includes a removable grate 33.

Since Rice and Stanek are analogous art because they are from the same field of endeavor, that is the air moving devices art, it would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify the enclosure of Rice with the removable grate as taught by Stanek for the purpose of preventing debris entering the interior of the enclosure.

Allowable Subject Matter

Claim 4 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Prior Art

Prior art made of record but not relied upon is considered pertinent to Applicant's disclosure and consist of two patents.

Ishikawa (6,004,093) is cited to show a blower having an enclosure, a flow separator plate defining a first and a second scroll, and a blower wheel but fails to show both the first and second scrolls communicating with an outlet.

Barrett (6,530,743) is cited to show a blower having an enclosure, a flow separator plate defining a first and a second scroll, and a blower wheel but fails to show both the first and second scrolls communicating with an outlet.

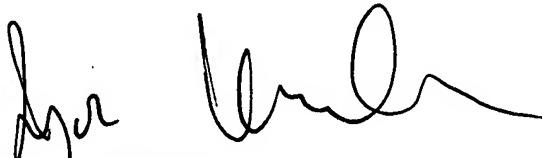
Contact information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Kershteyn whose telephone number is **(571)272-4817**. The examiner can be reached on Monday-Friday from 8:00 a.m. to 4:30 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Look, can be reached on **(571)272-4820**. The fax number is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308 0861.

IK
July 1, 2005



Igor Kershteyn
Patent examiner.
Art Unit 3745